

032404

14230 U.S.PTO

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**Docket No. 11-12539 (56051-DIV)Anticipated Classification of  
this application: Class       Prior Application:  
Examiner: J. Rodriguez  
Art Unit: 3653**MAIL STOP DIVISIONAL  
COMMISSIONER FOR PATENTS  
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10/08/07 65  
032404EXPRESS MAIL NO: EV 322694157 USDATE OF DEPOSIT: March 24, 2004NAME: Justin GoreeSIGNATURE: Justin Goree

Sir:

This is a request for filing a  Divisional application under 37 CFR 1.53(b)of pending prior application Serial No. 10/036,636 filed on  
January 3, 2002 of Schrader  
(date) (inventor currently of record in prior application)for METHOD OF REMOVING FOOD PRODUCT DEFECTS FROM A FOOD PRODUCT SLURRY  
(title of invention)

1.  Enclosed is a copy of the prior application, including the oath or declaration as originally filed and an affidavit or declaration verifying it as a true copy.
2.  Prepare a copy of the prior application.
3.  A Preliminary Amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)
4.  The filing fee is calculated below:

**CLAIMS AS FILED IN THE PRIOR APPLICATION, LESS ANY CLAIMS CANCELED BY AMENDMENT BELOW:**

	(Col. 1)		(Col. 2)		SMALL ENTITY			LARGE ENTITY	
FOR:	# FILED		# EXTRA		RATE	Fee		RATE	Fee
BASIC FEE						\$ 385	<u>OR</u>		\$ 770
TOTAL CLAIMS	3	-20	-0-		X 9	\$	<u>OR</u>	X 18	\$ -0-
INDEP CLAIMS	1	- 3	-0-		X 43	\$	<u>OR</u>	X 86	\$ -0-
[ ] Multiple Dependent Claim Presented						\$	<u>OR</u>		
* If the difference in Col. 1 is less than "0", enter "0" in Col. 2.					TOTAL	\$		TOTAL	\$ 770

5.  THE COMMISSIONER IS HEREBY AUTHORIZED TO CHARGE THE FEE IN THE AMOUNT OF \$ 770.00 TO THE CREDIT CARD NOTED IN THE ATTACHED CREDIT CARD PAYMENT FORM

THE COMMISSIONER IS HEREBY AUTHORIZED TO CHARGE ANY DISCREPANCIES IN FEE AMOUNTS TO DEPOSIT ACCOUNT NO. 01-0484.

6.  Cancel in this application original Claims 1-17 of the prior application before calculating the filing fee.
7.  Amend the specification by inserting before the first line the sentence:  
—This application is a divisional of Serial No. 10/036,636 filed January 3, 2002, the disclosure of which is hereby incorporated by reference in its entirety.—
8.  Transfer the drawings from the prior application to this application and abandon said prior application as of the filing date accorded this application. A duplicate copy of this sheet is enclosed for filing in the prior application file. (May only be used if signed by person authorized by Rule 138 and before payment of base issue fee.)
- 9a.  Formal drawings are enclosed.
- 9b.  Priority of application Serial No. \_\_\_\_\_ filed on \_\_\_\_\_ in \_\_\_\_\_ is claimed under 35 U.S.C. 119.
- 9c.  The certified copy has been filed in prior application Serial No. \_\_\_\_\_ filed \_\_\_\_\_.

10.  The prior application is assigned of record to **FMC TECHNOLOGIES, INC.**

11.  Citation Under 37 CFR 1.97 and PTO-1449 and copies of cited references.

12.  The power of attorney in the prior application is to:  
Richard K. Warther, Reg. No. 32,180, et al, Allen, Dyer, Doppelt, Milbrath & Gilchrist, P.A., 255 South Orange Avenue, Suite 1401, Orlando, Florida 32801  
(name, registration number and address)

- a.  The power appears in the original papers in the prior application.
- b.  Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
- c.  **ADDRESS ALL CORRESPONDENCE TO ATTORNEY OF RECORD**

**CHRISTOPHER F. REGAN**  
**Allen, Dyer, Doppelt, Milbrath & Gilchrist, P.A.**  
**P.O. Box 3791**  
**Orlando, FL 32802-3791**

13.  Small entity status of this application under 37 CFR 1.27 has been previously established.
14.  I hereby verify that the attached papers are a true copy of prior application Serial No. 10/036,636 as originally filed on January 3, 2002.

The undersigned declare(s) further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

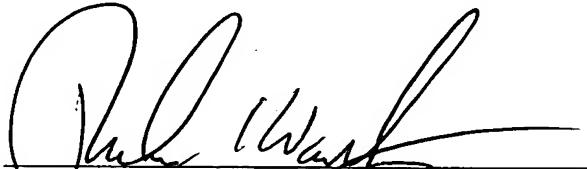
Please associate this application with Customer No. 27975.

 27975

PATENT TRADEMARK OFFICE

March 24, 2004

Date

  
**RICHARD K. WARTHNER**  
**Registration No. 32,180**  
ALLEN, DYER, DOPPELT, MILBRATH  
& GILCHRIST, P.A.  
Post Office Box 3791  
Orlando, Florida 32802-3791  
(407) 841-2330  
Attorney or agent of record

Case No. 11-12539 (56051-DIV)

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EXPRESS MAIL NO: EV 322694157 US

DATE OF DEPOSIT: March 24, 2004

NAME: Justin Goree

SIGNATURE: Justin Goree

In re Application of: **SCHRADER**

Serial No.: **NOT YET ASSIGNED**

Filed: **HEREWITH**

For: **METHOD OF REMOVING FOOD PRODUCT DEFECTS  
FROM A FOOD PRODUCT SLURRY**

**This application is a divisional of Serial No. 10/036,636 filed January 3, 2002**

Sir:

Transmitted herewith is an INFORMATION DISCLOSURE STATEMENT in the  
above-identified application.

This IDS is submitted under 37 C.F.R. § 1.97. No fee is required.

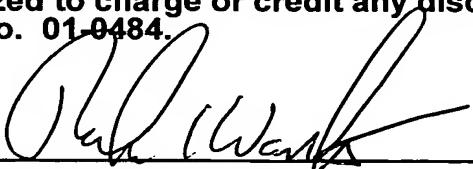
This IDS is submitted under 37 C.F.R. § 1.97(c). Enclosed is a check in the amount of \$240.00.

This IDS is submitted under 37 C.F.R. § 1.97(c) and (e). No fee is required.

This IDS is submitted under 37 C.F.R. § 1.97(d) and (e). Enclosed is a check in the amount of \$130.00 to cover the petition fee.

**The Commissioner is hereby authorized to charge or credit any discrepancies in fee amounts to Deposit Account No. 01-0484.**

Date: March 24, 2004

  
RICHARD K. WARTHER  
Reg. No. 32,180  
Allen, Dyer, Doppelt, Milbrath & Gilchrist, P.A.  
P.O. Box 3791  
Orlando, FL 32802-3791  
PHONE: (407) 841-2330

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
**SCHRADER**  
Serial No. **Not Yet Assigned**  
Filing Date: **Herewith**  
For: **METHOD OF REMOVING FOOD  
PRODUCT DEFECTS FROM A FOOD  
PRODUCT SLURRY**

This application is a divisional of Serial No. 10/036,636 filed January 3, 2002

## **TRANSMITTAL OF FORMAL DRAWINGS**

Mail Stop Divisional  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Enclosed are six (6) sheets of formal drawings to be filed in the above-identified patent application.

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**EXPRESS MAIL NO: EV 322694157 US**

**DATE OF DEPOSIT:** March 24, 2004

NAME: Justin Goree

**SIGNATURE:** Martin M. Dow

Respectfully submitted

## RICHARD K. WARTHNER

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